IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 12458 of 2007(G)

PETITIONERS:

1. **R.THANKAMANI, (RENJU BHAVAN, AYILAM P.O ATTINGAL, THIRUVANANTHAPURAM DIST) MAHILA SWASTH SANGH VOLUNTEER, PRIMARY HEALTH CENTRE, MUDAKKAL, CHIRAYINKIL TALUK, THIRUVANANTHAPURAM.**

2. **V.S.MANIAMMA, (NELPURA VADAKKETHIL, THAKAZHY P.O., ALAPPUZHA DIST) MAHILA SWASTH SANGH VOLUNTEER, PRIMARY HEALTH CENTRE, THAKAZHY, ALAPPUZHA DISTRICT.**

BY ADV. SMT.SREEDEVI KYLASANATH
SRI.V.SADASIVAN
SRI.K.JITHIN
SMT.K.L.SREEKALA

RESPONDENTS:

1. **THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, HEALTH & FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DIRECTOR OF HEALTH SERVICES, THIRUVANANTHAPURAM.**

3. **THE DISTRICT MEDICAL OFFICER OF HEALTH, THIRUVANANTHAPURAM.**

4. **THE DISTRICT MEDICAL OFFICER OF HEALTH, ALAPPUZHA.**

BY GOVERNMENT PLEADER SRI.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.12458/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE MEMORANDUM DT. 11.6.01 SUBMITTED BEFORE THE HONOURABLE CHIEF MINISTER.

EXT.P2:- COPY OF THE COMMUNICATION NO.FW B4/23419/01/DH DT. 8.10.01 ISSUED BY 2ND RESPONDENT.

EXT.P3(a):- COPY OF THE LIST PERTAINING TO THE 1ST PETITIONER AND THE 2ND PETITIONER.

EXT.P4:- COPY OF THE GO.(RT) NO.714/03/H&FWD DT. 6.3.03.

EXT.P4(a):- COPY OF THE (RT) NO.3443/03/H&PW DT. 5.12.03.

EXT.P5:- COPY OF THE GO(Rt) NO.3628/04/H&FWD DT. 29.12.04, SANCTIONING FESTIVAL ALLOWANCE.

EXT.P5(a):- COPY OF THE ORDER NO.FW B4/102733/02/DHS DT. 22.2.05.

EXT.P6:- COPY OF THE JUDGMENT DT. 7TH NOVEMBER 05, IN WP(C) 10-482/05.

EXT.P7:- COPY OF THE MINUTES OF THE MEETING CONVENED BY THE HONOURABLE HEALTH MINISTER ON 14.2.06.

EXT.P8:- COPY OF THE GO(Rt) NO.86/06/H&FWD DT. 7.1.06 SANCTIONING PAYMENT OF FESTIVAL ALLOWANCE.

EXT.P9:- COPY OF THE MEMORANDUM REQUESTING TO SANCITON HONORARIUM AS PROPOSED VIDE COMMUNICATION NO.FW B4-23419/01DHS DT. 10.2.04.

EXT.P10:- COPY OF THE MINUTES OF THE GOVERMENT LEVEL COMMITTEE MEETING HELD ON 25.9.06.

EXT.P11:- COPY OF THE REPRESENTATION DT. 11.7.06 REQUESTING HONORABLE MINISTER TO AVOID UNNECESSARY HOSTILITY TOWARDS APPROVED MSS VOLUNTEERS.

EXT.P12:- REPRESENTATION DT. 14.11.06 SUBMITTED BY THE UNION TO SANCTION FESTIVAL ALLOWANCE.

EXT.P13:- COPY OF THE GOVERNMENT CIRCULAR NO.EF3-10336/06/DHS DT. 27.12.06.

EXT.P14:- COPY OF THE COMMUNICATION ISSUED BY THE 2ND RESPONDENT ENCLOSING ANOTHER LEAFLET.

EXT.P15:- COPY OF THE REPRESENTATION DT. 2.2.07 SUBMITTED BY THE UNION.

V. GIRI ,J.

WP(C).NO.12458 of 2007

Dated this the 23rd day of October, 2007

JUDGMENT

The main relief sought for by the petitioners is for a direction to the Director of Health Services to provide first priority to regular *"Mahila Swasth Sangh"* (MSS for short) volunteers, as per the approved list as on 1.1.2001 for appointment of cleaning staff on daily wages in Government hospitals. Similar issue was considered by this Court in Writ Petition No.24267/2007 and connected cases. it is declared that the directions issued in the said judgment will be made applicable to the petitioners in the present case also.

2. Learned counsel for the petitioners contends that there is a claim for festival allowance, for MSS workers. The petitioners may pursue the said claim before the Government.

Subject to the said direction, the writ petition is disposed of.

V. GIRI, JUDGE

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